

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

**JOHN DOE,**

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## Plaintiff,

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V.

**§ Civil Action No. 7:22-cv-00038-O**

# TEXAS DEPARTMENT OF CRIMINAL JUSTICE (TDCJ),

§

## Defendant.

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## **ORDER**

Before the Court is Plaintiff's Motion for Leave to File and Maintain Anonymous Original Complaint (ECF No. 2), filed April 14, 2022. Generally, plaintiffs must disclose their names in the instrument they file to commence a lawsuit. Fed. R. Civ. P. 10(a). Sometimes, that requirement must yield "to a policy of protecting privacy in a very private matter." *Doe v. Stegall*, 653 F.2d 180, 185 (5th Cir. Unit A 1981) (citation and internal quotation marks omitted). Courts consider whether (1) the plaintiff seeking anonymity is challenging governmental activity; (2) the plaintiff must disclose information "of the utmost intimacy" to prosecute the suit; and (3) the plaintiff will be compelled to admit his intention to engage in illegal conduct. *Id.* For example, "[w]here the issues involved are matters of a sensitive and highly personal nature, such as birth control, abortion, homosexuality or the welfare rights of illegitimate children or abandoned families, the normal practice of disclosing the parties' identities yields to a policy of protecting privacy in a very private matter." *S. Methodist Univ. Ass'n of Women L. Students v. Wynne & Jaffe*, 599 F.2d 707, 712–13 (5th Cir. 1979) (cleaned up).

Plaintiff states this Motion should be granted because “Plaintiff is suing a governmental entity related to private medical conditions caused by his military service, which medical conditions Plaintiff does not want to be made public in order to seek redress from his governmental employer” Mot. 3, ECF No. 2. But without further explanation, this is insufficient.

Accordingly, the Court **ORDERS** the parties to brief whether the Court should permit Plaintiff to proceed anonymously. The parties may file jointly or separately, but in either case must address the concerns raised in this Order. The brief (or briefs) are due **April 29, 2022**.

**SO ORDERED** this 15th day of April, 2022.



Reed O'Connor  
UNITED STATES DISTRICT JUDGE